

A34466 (070050.1618)
PATENT

#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher, Paul B.
Serial No. : 09/933,115 Examiner : Not Yet Assigned
Filing Date : August 20, 2001 Group Art Unit: Not Yet Assigned
For : COMBINATORIAL METHODS FOR INDUCING CANCER CELL DEATH

I hereby certify that this paper is being deposited with the United States Postal
Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

January 9, 2002

Date of Deposit

Lisa B. Kole

Attorney Name

Lisa B. Kole
Signature

35,225

PTO Registration No.

January 9, 2002

Date of Signature

RESPONSE TO NOTICE TO COMPLY,
SUBMISSION OF REVISED SEQUENCE LISTING AND DECLARATION

Hon. Commissioner for Patents and Trademarks
U.S. Patent and Trademark Office
Box Missing Parts
Washington DC 20231

Sir:

In response to a the Notice to File Missing Parts of Nonprovisional Application filed
under 37 C.F.R. § 1.53(b) mailed October 22, 2001 in the above-captioned application, please
consider the following remarks.

IN THE SPECIFICATION:

Please substitute the paper copy of the Sequence Listing enclosed herewith for the Sequence Listing originally filed in the specification after p. 73. The Sequence Listing thus becomes pages 74-82 of the specification.

REMARKS

Applicants submit herewith a revised Sequence Listing in paper and computer-readable form. Please enter this revised Sequence Listing into the specification of the above-captioned application. The original Sequence Listing has been revised to correct errors identified in the "Raw Sequence Listing Error Report" dated September 10, 2001. In particular, the Sequence Listing has been revised to specify the required information from fields <221> through <223> relating to the presence of Xaa residues in protein sequences.

I hereby state that the content of the paper and computer readable copies of the revised Sequence Listing submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), respectively, are the same.

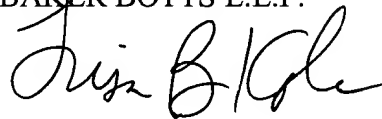
I hereby state that the content of the paper and computer readable copies of the revised Sequence Listing, submitted herewith in accordance with 37 C.F.R. § 1.82(f), does not include new matter.

Applicant also concurrently submits herewith 1) a signed Oath or Declaration, 2) an Oath or Declaration Transmittal Form, 3) a Petition for a One-Month Extension of Time, and 4) a check for \$120 representing the \$65 late filing fee oath or declaration surcharge as set forth in 37 C.F.R. § 1.16(l) for a small entity in compliance with 37 C.F.R. § 1.27 and the \$55 fee for a one-month extension of time as set forth in 37 C.F.R. § 1.17(a)(1) for a small entity in compliance with 37 C.F.R. § 1.27. Small entity status has been previously established in this case under 37 C.F.R. §§ 1.9 and 1.27, and is still proper and desired.

Applicants believe no other fees are due. The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A copy of this paper is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

A handwritten signature in black ink, appearing to read "Lisa B. Kole", written over a horizontal line.

Lisa B. Kole

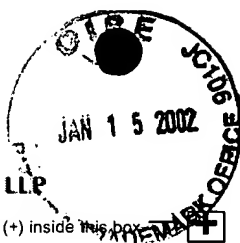
Patent Office Reg. No. 35,225

Attorney for Applicant
(212) 408-2628

Encl.

BAKER BOTTS LLP

Please type a plus sign (+) inside this box.



0300

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0300/0300
Box - seq
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/933,115
Filing Date	August 20, 2001
First Named Inventor	Pual B. Fisher
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	A34466

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition to Extend Time
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Oath/Declaration
Revised Sequence
Listing, Paper and
diskette

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

BakerBotts LLP
30 Rockefeller Plaza
New York, NY 10112

Signature

Att Name: Lisa B. Kole
PTO Reg: 35,225

Date

January 9, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: January 9, 2002

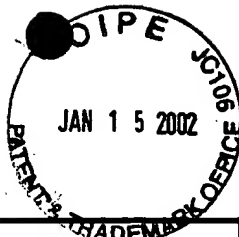
Typed or printed name

Lisa B. Kole

Signature

Date

January 9, 2002



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 120

Complete if Known

Application Number	09/933,115
Filing Date	August 20, 2001
First Named Inventor	Pual B. Fisher
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	A34466

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**
Deposit Account Name **Baker Botts LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
710	355	Utility filing fee	
320	160	Design filing fee	
490	245	Plant filing fee	
710	355	Reissue filing fee	
150	75	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

Total Claims - 20** = X = 0
Independent Claims - 3** = X = 0
Multiple Dependent =

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
80	40	Independent claims in excess of 3
270	135	Multiple dependent claim, if not paid
80	40	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	55
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,240	620	Petition to revive - unintentional	
1,240	620	Utility issue fee (or reissue)	
440	220	Design issue fee	
600	300	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
710	355	For each additional invention to be examined (37 CFR § 1.129(b))	
710	355	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120

SUBMITTED BY

Name (Print/Type)	Lisa B. Kole	Registration No. (Attorney/Agent)	35,225	Telephone	212.408.2628
Signature		Date	January 9, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/933,115	08/20/2001	Paul Fisher	A34466 070050.1618

21003
BAKER & BOTTS
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

CONFIRMATION NO. 7088

FORMALITIES LETTER



OC000000006948923

Date Mailed: 10/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/22/2002 SDIRETA1 00000044 09933115

FILED UNDER 37 CFR 1.53(b)

01 FC:205

65.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE